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Remarks

Claims 1, 3-5, 8-9, 13, and 16-24 are pending. New Claims 19-24 are added in this Amendment. Support for the new claims may be found in Fig. 4 and in the Specification at page 9, lines 4-24.

Allowable Subject Matter

Claims 9, 13, 17 and 18 have been allowed.

New Claims 19-24

New Claim 19 recites a method for executing a print request in which two different characteristics of the print request are analyzed to identify a print setting. The first characteristic is related to the content of the document to be printed and the second characteristic is unrelated to the content of the document. In new Claim 20 depending from Claim 19, for example, the first characteristic comprises one or more of a number of pages in the document, an amount of text data in the document, an amount of image data in the document, a type of text data in the document, and a type of image data in the document, and the second characteristic comprises one or more of an input/output protocol associated with the print request, a type of host device transmitting the request, an application used to generate the print request, a status of a queue for print requests, a time of day of the print request, and a type of media on which the document is to be printed.

So far as the Applicants are aware, none of the art of record teaches or suggests a two characteristic analysis for identifying a print setting to print a document as recited in new Claims 19-21. New Claims 22-24 are computer medium counterparts to method Claims 19-22 and recite similar limitations.

Rejections Under Section 103

Claims 1, 8, and 16 were rejected under 35 USC § 103(a) as being obvious over Shima (U.S. Patent No. 6,149,323), in view of Fujimoto (U.S. Patent No. 6,204,867). Claims 3-5 were rejected under Section 103 as being obvious over Shima and Fujimoto in view of Minagawa (6,614,550).

With regard to Claim 1, the Examiner asserts that Shima teaches correlating a prior print setting selection with one or more characteristics of the current document data and comparing the

correlated print setting selections to one or more characteristics of the current document. This assertion is not correct.

Shima teaches saving printer settings apart from but linked to the document printed according to those settings. These settings can thereafter be selected for printing other documents from, for example, a table linking the printer settings and the document. See, for example, Shima column 2, lines 56-65 and column 4, lines 21-25. Nowhere does Shima teach or even suggest correlating the prior print settings to a characteristic of the current document data. Even if it is assumed that the user action of selecting prior/saved print settings to print a current document might somehow be deemed the act of correlating the prior print settings to the current document, Shima still does not teach correlating the prior print settings to a *characteristic* of the current document data. Moreover, Shima also does not teach the further act of comparing any such correlated print setting selections to a characteristic of the document.

The passages in Shima cited by the Examiner are not to the contrary. Shima column 3, lines 17-40 teaches that the content of prior print settings may be displayed along with the names of the documents printed according to those settings to make it easier for the user to select or not select a prior setting to print a current document. There is nothing in this passage that even remotely suggests correlating the prior print settings to a characteristic of the current document.

Shima Fig. 3 and the accompanying text at columns 4-5 teaches the same thing -- a user selecting a prior print setting to print a current document. Again, no correlation is made between any of the prior print settings and a characteristic of the current document nor is any comparison made between the selection made by the user and a characteristic of the current document.

Shima column 7, lines 3-32 teaches the user determining if a printer setting is "acceptable" or "unacceptable" for the current document. Shima, however, does not say what criteria the user could or should use to make this determination. More specifically, Shima does not teach that the user correlates a prior printer setting to a characteristic of the current document or, thereafter, compares any such correlated print setting selection to a characteristic of the current document.

A similar analysis applies to Claim 8. Claim 8 recites comparing the prior print setting selections and associated prior document data to at least one characteristic of the current document and then selecting a print setting for the document based on the comparison. As noted

above, there is nothing in Shima that teaches or suggests comparing prior print setting selections to a characteristic of the current document. Further with regard to Claim 8, Shima also does not teach or suggest comparing prior document data associated with the prior print setting selections with a characteristic of the current document. If the Examiner disagrees, he is respectfully requested to specifically point out *and explain* those passages in Shima that teach both limitations.

A similar analysis applies to Claim 5. Claim 5 recites comparing an amount of text data and image data in the current document with a user's prior print setting preference associated with prior documents having a similar amount of text data and image data. As noted above, Shima does not teach making any kind of comparison between the current document and a prior document associated with a print setting.

Claim 16 is a computer medium counterpart to method Claim 1 and recites similar limitations.

The combination of Shima and Fujimoto (and Minagawa for Claim 5) does not teach or suggest all of the limitations of Claims 1, 5, 8 and 16 and the rejection of those claims and their respective dependent claims should be withdrawn.

Respectfully submitted,

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